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 CLERK US DISTRICT COURT
 SOUTHERN DISTRICT OF CALIFORNIA

Attorneys for Plaintiff Gregory A. Strasburg,
 Individually and as Trustee of the Gregory A. Strasburg Revocable Trust dated 4/8/2003

BY KWIK DEPUTY

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF CALIFORNIA

GREGORY A. STRASBURG, Individually
 and as Trustee of the GREGORY A.
 STRASBURG REVOCABLE TRUST dated
 4/8/2003

CASE NO.

'08 CV 0021 JLS BLM

Plaintiff,

IN ADMIRALTY

v.

DECLARATION OF JAMES W.
 ALCANTARA, ESQ. IN SUPPORT OF
 VESSEL ARREST

M/Y JUST A NOTION, Official Number
 1089525, her engines, tackle, furniture and
 appurtenances, *in rem*; PETER BLAIR, *in*
personam; JIM SINGLETON, *in personam*;
 and THE YACHT CLUB, LLC., a Nevada
 Corporation

Federal Rules of Civil Procedure
 Supplemental Rules for Certain
 Admiralty and Maritime Claims,
 Rules C and D

Defendants.

I, James W. Alcantara, hereby certify and declare as follows:

1. I am an attorney admitted to practice in California and before this honorable Court.

I am counsel of record for Plaintiff GREGORY A. STRASBURG, Individually and as Trustee of
 the GREGORY A. STRASBURG REVOCABLE TRUST dated 4/8/2003 (hereinafter referred to
 as "Plaintiff"). The focus of my practice is now and has been for over sixteen years, Admiralty and
 Maritime law. Since 1991 I have been a member in good standing of the Maritime Law Association
 of the United States with the current title of Proctor in Admiralty. I have personal knowledge of the
 facts recited herein and, if called and sworn to testify, I could and would competently testify
 thereto.

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ORIGINAL

2. This Declaration is submitted in support of Plaintiff's Application for Order Authorizing Issuance of Warrant for Arrest, pursuant to Southern District Local Rules for Admiralty and Maritime Claims, and in conformance with Rule D, Supplemental Rules for Certain Admiralty and Maritime Claims, as amended April 29, 1985, which states:

"In all actions for possession, partition, and to try title maintainable according to the course of admiralty practice with respect to a vessel . . . the process shall be by warrant of arrest of the vessel . . . and by notice in the manner provided by Rule B(2) to the adverse parties."

3. As a consequence of the patently conflicting claims of my client, Defendant Blair and others claiming ownership in and right to possession of the DEFENDANT VESSEL my client instructed me to seek the arrest of the DEFENDANT VESSEL, in order to have the Vessel secured and to have legal title to the Vessel determined by this Court.

4. The DEFENDANT VESSEL is documented with the United States Coast Guard and has, at all relevant times been owned solely by Plaintiff.

5. It is my understanding and belief, based on my review of the information learned from my client, other attorneys and certain documentation, that Defendant Blair and others claim the to have legal ownership of the vessel and right to possession. My client disagrees and believes he is entitled to sole ownership and right of possession.

6. I have been advised by Defendant Blair and others of his intent to take the Vessel from San Diego to Mexico in order to sell the vessel to third parties. This is being done without the consent of my client.

7. Based upon my review of the facts, it appears clear there is a dispute regarding right to title and possession of the DEFENDANT VESSEL. In order to preserve the status quo while these issues are adjudicated, it is my opinion the best way to preserve the *res* surrounding the various claims, is to have the VESSEL kept under arrest in the care and custody of a substitute custodian appointed by this court.

8. This Declaration is in support of PLAINTIFF's application for issuance of Warrant for Arrest, which is based on its claim of ownership and possession. In the light of the close proximity to Mexico, I believe it is possible the DEFENDANT VESSEL could depart its current

1 slip at Kona Kai marina without warning, and put to sea for a destination outside the *in rem*
2 jurisdiction of this Court.

3 9. Based on the foregoing, the Court is respectfully urged to find that conditions exist
4 for an action *in rem* under Rule D, Supplemental Rules for Certain Admiralty and Maritime
5 Claims.

6 I declare under penalty of perjury under the laws of the United States and the State of
7 California that the foregoing is true and correct.

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9 EXECUTED this 3rd day of January 2008.

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14 JAMES W. ALCANTARA
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